



Practitioner's Docket No.: 788_085

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the application of: Takehiko TAGUCHI and Ako YOSHIKAWA

Ser. No.: 09/868,145

Group Art Unit: 1711

Filed: June 15, 2001

Examiner: Nathan M. Nutter

Confirmation No.: 7043

For: VIBRATION DAMPING RUBBER MEMBER AND PROCESS OF PRODUCING
THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Sir:

Your petitioner, Tokai Rubber Industries, Ltd., residing at 1, Higashi 3-Chome, Komaki-Shi, Aichi-Ken, 485-8550, Japan, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Ser. No. 09/868,145, filed June 15, 2001.

Except as provided below, petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,465,607, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,465,607, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantees, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner

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terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the petitioner identified above.

The undersigned is an attorney of record.

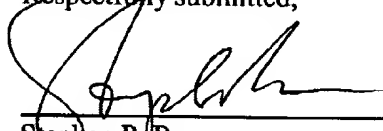
FEE STATUS
(37 C.F.R. §1.20(d))

☒ Other than a small entity \$110.00
☐ Small entity \$ 55.00

FEE PAYMENT

☒ Attached is a check in the sum of \$ 110.00.
☒ Charge Account 50-1446 for any fee deficiency.
☐ Charge Deposit Account _____ the sum of \$ _____ and for any fee deficiency that may be due. A duplicate of this disclaimer is attached.

Respectfully submitted,



Stephen P. Burr
Attorney for Applicant(s)
Reg. No. 32,970

July 30, 2004
Date

SPB:SWC:jms

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